IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

FRIDAY, THE 14TH SEPTEMBER 2007 / 23RD BHADRA 1929

WP(C).No. 26189 of 2007(P)

PETITIONER:

K.KRISHNAN, S/O. KANNAN MANIYANI,
VAISHAKHI, THALICHERRY, MANIKOTH P.O.

BY ADV. SRI.A.K.ABDUL AZEEZ

RESPONDENTS:
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1. REGIONAL TRANSPORT AUTHORITY,
KASARGOD.

2. SECRETARY,
RTA, KASARGOD.

3. EXECUTIVE OFFICER,
KERALA MOTOR TRANSPORT WORKERS WELFARE FUND
BOARD, KASARGOD.

4. K.MOHAMMED KUNHI, S/O. ABOOBACKER,
MUKKODE KUNNOTH HOUSE, KEEKAN P.O.,
HOSDURG, KASARAGOD DISTRICT.

BY ADV. SRI.PAULSON C VARGHESE(B/0)
GOVERNMENT PLEADER SRI.I.V.PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 14/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.
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W.P.(C) NO. 26189 OF 2007
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Dated this the 14th day of September, 2007

J U D G M E N T

By Ext.P1, petitioner's request for transfer of permit was considered by the first respondent and was allowed subject to clearance certificate from the 3rd respondent. The standing counsel for the 3rd respondent submits that for the period 2000-05, total amount due from the petitioner is Rs.50,902 and that for issuing the clearance certificate, entire amount has to be remitted. Since the petitioner does not dispute the liability, he should have either paid the amount or atleast should have represented to the Board for instalment facility and that also has not been done. It is a condition precedent that the amount should be paid. Since the amount has not been paid, petitioner is not entitled to

the direction sought for, requiring the respondents to transfer the vehicle without payment.

Writ petition is dismissed.

ANTONY DOMINIC, JUDGE.

Rp